REMARKS

Applicant hereby responds to the Final Office Action of October 27, 2008. Applicant

thanks the Examiner for carefully considering the application.

Status of Claims

Claims 1-6, 8-15, 17-25, 27 and 28 are pending in the above-referenced patent

application. Claims 1, 10, and 20 are independent.

Claims 1-6, 8-15, 17-25, 27 and 28 were rejected under 35 U.S.C. §102(e) as being

anticipated by U.S. Patent Publication No. 2006/0200253 ("Hoffberg").

Claim Amendments

Claims 2, 11 and 21 are amended for clarification purposes. Therefore, no further search

or examination is necessary. No new matter is added.

Rejection under 35 U.S.C. 102(e)

Rejection of claims 1-6, 8-15, 17-25, 27 and 28 is respectfully traversed because, for at

least the following reasons, Hoffberg does not disclose all of the claimed limitations.

According to MPEP §2131,

> '[a] claim is anticipated only if each and every element as set forth in
> the claim is found, either expressly or inherently described, in a single
> prior art reference.' (Verdegaal Bros. v. Union Oil Co. of California,
> 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). 'The
> identical invention must be shown in as complete detail as is contained
> in the ... claim.' (Richardson v. Suzuki Motor Co., 868 F.2d 1226,
> 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). The elements must be
> arranged as required by the claim, but this is not an ipsissimis verbis
> test, i.e., identity of terminology is not required. (In re Bond, 910 F.2d
> 831, 15 USPQ2d 1566 (Fed. Cir. 1990)).

The instant Office Action asserts that Hoffberg discloses the limitations of independent

claim 1. Applicant respectfully submits that Hoffberg fails to teach or suggest the limitations

"dynamically generating a top page user interface description based at least on the directly

obtained device information", "the top page user interface description including one or more

references associated with the device information in each of said devices currently connected to

the network, such that each reference in the top page user interface description includes at least

one electronic link providing direct access from the top page user interface description to said

device information contained in said devices currently connected to the network" and "when one

of the at least one electronic link in the top page user interface description is selected by a user,

using the selected link to access the associated device and use the control interface description

contained in the selected device to generate a device user interface for user interaction with that

selected device" as claimed.

Hoffberg is directed to an Internet appliance system and method for communicating with

the Internet and local area network with at least one data interface for controlling a data transfer

between the local area network and the Internet or control a remote device.

In contrast to the limitations of claim 1, paragraph [1313] of Hoffberg teaches "a speech

interface is provided for interpreting human speech as an input and/or producing synthesized

speech as an output... as well as a semantic data processor", not dynamically generating a top

page user interface description. Clearly, a speech interface device that requires a "human vocal"

input for determining an output is not the same as generating a top user interface description that

is based on directly obtained "device information" from one or more devices connected to the

network.

Applicant respectfully submits that Hoffberg paragraph [0666] fails to teach "the top page

user interface description including one or more references associated with the device

information in each of said devices currently connected to the network, such that each reference

in the top page user interface description includes at least one electronic link providing direct

access from the top page user interface description to said device information contained in said

devices currently connected to the network." Applicant assumes, arguendo, that the cited

reference teaches a system of personal computers and entertainment devices which provide

network access to the Internet, as disclosed therein. But even if that is correct, Hoffberg [0666]

fails to teach or suggest the use of "a top page user interface description" or "at least one

electronic link providing direct access from the top page user interface description." Hoffberg

[0666] further discloses that the ITU standards for communication systems allow the selective

addition of data to video conference streams, where excess bandwidth is available for upload or

down load, but the reference is not relevant to the "top page user interface description including

at least one electronic link" as claimed.

The instant Office Action asserts that Hoffberg discloses when one of the at least one

electronic link in the top page user interface description is selected by a user, using the selected

link to access the associated device and use the control interface description contained in the

selected device to generate a device user interface for user interaction with that selected device,

and cites paragraphs (0818-0820). Applicant respectfully disagrees with the Office Action's

interpretation. The relevant portions of Hoffberg read:

> [0818] As applied to a multimedia database storage and retrieval system, the user programs,
> through an adaptive user interface according to the present invention, **the processing of data**,
> by defining a criteria and the actions to be taken based on the determination of the criteria.
> The criteria, it is noted, need not be of a predefined type, and in fact this is a particular feature
> of the present invention. A pattern recognition subsystem is employed to determine the
> existence of selected criteria. ...

> [0819] The potential significant hardware requirement for image processing and pattern
> recognition is counterbalanced by the enhanced functionality available by virtue of the
> technologies. When applied to multimedia devices, the interface system allows the operator to
> define complex criteria with respect to image, abstract or linguistic concepts, which would
> otherwise be difficult or impossible to formulate. Thus, **the interface system becomes part**

of a computational system that would otherwise be too cumbersome for use. ....

[0820] **A pattern recognition subsystem allows a "description" of an "event"** without explicit definition of the data representing the "event". Thus, instead of requiring explicit programming, an operator may merely define parameters of the desired "event". This type of system is useful, for example, where a user seeks a generic type of data representing a variety of events. ... (Emphasis added)

From the above passages, it is clear that Hoffberg uses *a pattern recognition subsystem* to process the data, and thus has to determine the description used for the interface. In Hoffberg, the user initially defines criteria and actions for determining the existence of the selected criteria in the pattern recognition subsystem to process data. Hoffberg does not teach "using the selected link to access the associated device and use the control interface description contained in the selected device to generate a device user interface for user interaction with that selected device" as claimed.

On page 6, the instant Office Action asserts that Hoffberg [0818]-[0820] teaches the "control interface description contained in the selected device" and notes certain passages which include "the user programs, through an adaptive user interface according to the present invention, the processing of data, by defining a criteria and actions to be taken based on the determination of the criteria...A pattern recognition subsystem allows a description of an event without explicit definition of the data representing the event. Thus, instead of requiring explicit programming, an operator may merely define parameters of the desired event." The Office Action asserts that the

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"event" is considered as the description contained in the appliance devices. Applicant

respectfully disagrees with the Office Action assertions for the following reasons.

The Hoffberg passages are directed to a multimedia database storage and retrieval system

that is programmed by a user through an adaptive user interface that utilizes a database of image

objects to process data. Hoffberg teaches that the operator defines the parameters of the "event"

and that the system is useful where a user seeks a "generic" type of data representing a variety of

events. In contrast to Hoffberg, the present invention discloses directly accessing device

information using a selected link to access the associated device and using the control interface

description contained in the selected device to generate a device user interface that is not generic.

Thus, the present invention does not use the user "interface description" as a generic type of data

that is used for a variety of devices/device descriptions (or events). In Hoffberg, if the "event" is

the description contained in the appliance, then according to paragraph [0820] various different

appliances would share a generic description. Indeed, Hoffberg does not teach using a control

interface description to generate a device user interface specifically for a particularly selected

device. Hoffberg is silent with respect to the claimed limitation "control interface description,"

which is "contained in the selected device" and directly obtained from the device.

In view of the above, Hoffberg fails to disclose all of the claimed limitations of

independent claims 1, 10 and 20 of the present application. Thus, independent claims 1, 10, and

20 of the present application are patentable over Hoffberg for at least the reasons set forth above.

Dependent claims are allowable for at least the same reasons.

Regarding dependent claims 2, 11 and 21, Applicant further respectfully submits that

Hoffberg fails to disclose the additional limitations of "a pointer from the top page user interface

description to at least the device information in an associated device." Applicant has amended

the claims for clarification to recite "wherein when one of the at least one electronic link in the

top page user interface is selected by a user, the pointer directs the user to the URL that is linked

to the associated device." Applicant notes that the term "pointer" as used in the art of computer

science "points" to an address of another, just like a "link" can be added to an image and posted

on the Internet so when someone "clicks" on the image the "link" or "pointer" directs the user to

the URL that is linked or pointed to.

In making the rejection, the instant Office Action has relied upon paragraph [0830] of

Hoffberg. However, paragraph [0830] of Hoffberg merely mentions a learning and adaptive

interface that detects events and makes decisions based on known or predetermined

characteristics, not directing the user to the URL linked to the associated device as claimed. The

remainder of Hoffberg does use the phrase "pointer," but in a completely different context. That

is, the pointer (e.g., finger) of Hoffberg refers to a position as detected by a position sensor (see,

e.g., paragraph [0012]). As discussed above, Hoffberg teaches an intelligent interface that does

complex data processing and analysis to generate the interface by extracting data from many

different sources and storing the extracted data at a central location, and such interface does not

provide a direct "pointer" to at least the "device information in an associated device" as does the

claimed invention. Thus, dependent claims 2, 11 and 21 are allowable for at least these

additional reasons.

Regarding dependent claims 8, 17 and 27, Applicant further respectfully submits that,

contrary to the assertions made in the instant Office Action, Hoffberg does not teach the

additional limitations that "each link in the top page user interface description provides direct

access to at least the user control interface description in each associated device." The instant

Office Action has relied upon paragraph [0815] of Hoffberg to make the rejection. However,

paragraph [0815] of Hoffberg teaches data stored in a central database, or as a part of a data

stream, but does not teach that the data is stored *in the individual device and is directly accessed.*

Further, in regard to dependent claims 8, 17 and 27, the instant Office Action relies upon

paragraph [0667] of Hoffberg to make the rejection. Paragraph [0667] of Hoffberg teaches a

system providing various data streams that may be integrated with a videoconference data stream

over the same physical link, the local device provides a continuous connection or an autodial

function, but again does not teach that the data is stored *in the individual device and is directly*

accessed. Clearly, the Hoffberg "external inputs and outputs" are only for the videophone and

videoconference functions. Thus, dependent claims 8, 17 and 27 are allowable for at least these

additional reasons.

Regarding dependent claims 9, 18 and 28, Applicant further respectfully submits that,

contrary to the assertions made in the instant Office Action, Hoffberg does not teach the

additional limitations that "the top page user interface description further includes device data

corresponding to each device." The instant Office Action has relied upon paragraph [0836] of

Hoffberg to make the rejection. However, paragraph [0836] of Hoffberg discusses making use of

unused available spectrum bandwidth within the NTSC channel space, or other broadcast system

channel space, and is not relevant to the "device data corresponding to each device" as claimed.

Thus, dependent claims 9, 18 and 28 are allowable for at least these additional reasons.

Regarding claim 19, the instant Office Action refers to paragraphs [0801]-[0802] of

Hoffberg and asserts that Hoffberg discloses the additional limitations of "using each link in the

top page user interface description to access the device information in each corresponding

device." Applicant respectfully disagrees. Indeed, paragraphs [0801]-[0802] of Hoffberg are not

relevant to the claimed limitations and read:

> [0801] The present invention provides, according to one embodiment, an adaptive user
> interface which changes in response to the context, past history and status of the system. The
> strategy employed preferably seeks to minimize, for an individual user at any given time, the
> search and acquisition time for the entry of data through the interface.

[0802] The interface may therefore provide a model of the user, which is employed in a predictive algorithm. The model parameters may be static (once created) or dynamic, and may be adaptive to the user or alterations in the use pattern.

The above passages of Hoffberg discusses a predictive model for an interface, but is silent with respect to "using each link in the top page user interface description to access the device information in each corresponding device" as claimed.

In view of the above, withdrawal of the rejections of all pending claims is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant believes that the claims are in condition for allowance. Reconsideration, re-examination, and allowance of all claims are respectfully requested. If the Examiner feels that a telephone interview may help further the examination of the present application, the Examiner is encouraged to call the undersigned attorney or his associates at the telephone number listed below.

Please direct all correspondence to **Myers Andras Sherman LLP**, 19900 MacArthur Blvd., Suite 1150, Irvine, California 92612.

Respectfully submitted,

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